

Grant County Planning Commission

January 27th, 2003

The January 2003 regular meeting of the Planning Commission was called to order by John Lawrence at 7:00 p.m.

Those in attendance: John Lawrence, Vernon Webster, Brooke Rider, Stephen Mann, William Covington, Bill Marksberry, Nick Kinman, Marvin Faulkner, Kevin, Hudson, Nancy Duley, a representative of Erpenbeck Engineers and Tom Neinaber.

There was a quorum present.

ITEM 1. NOVEMBER MINUTES

Vernon Webster made a motion to approve the November meeting minutes, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 2. NOVEMBER AND DECEMBER FINANCIAL REPORT

Stephen Mann made a motion to approve the financial report for November, Nancy Duley seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

Stephen Mann made a motion to approve the financial report for November, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 3. ADMINISTRATORS REPORT

Jonathan stated that a Budget Committee needed to be formed. The Committee will consist of: Nancy Duley, Stephen Mann, Bill Marksberry, Vernon Webster and Kevin Hudson.

Jonathan stated that he had a new layout for the Staff report and if the Commission would like to see anything different to let him know.

Jonathan stated that the idea of having the Commission meetings at a different city each month had been put on hold.

Jonathan stated that he had visited the Fiscal Court concerning the County Wide Ordinance and had good input and that he had received a letter from Williamstown stating that they were not going to do anything with the ordinance.

ITEM 4: ANNEXATION - WILSON - CITY OF CRITTENDEN

John Lawrence declared the public hearing open.

Logan Murphy, representing the City, stated that in October the City decided to place a Waste Water treatment plant adjacent to this property. He said that as the development is now it would be developed at one-acre lots with septic and now the properties can hook into sewer but to do so they must be annexed into the City. He said that the property was 197 acres.

John Lawrence asked if anyone wished to speak for or against the request.

Anita Roberts state that they had lived in Claiborne for 3 years and were unaware that the sewer would be in the area and wanted to know what impact the annexation would have on them

Jonathan stated that their property was not being annexed.

Mrs. Roberts asked what the cost of hooking into the sewer would be and if they would have to be incorporated to be on the sewer.

Jonathan stated that the cost would be about \$5,000.00 and they would need to be within the City Limits.

John Lawrence declared the public hearing closed.

Nick Kinman asked where the sewer was shown on the plat they were looking at.

Logan stated that they had not laid out the located of the sewer yet and that the zoning would be a factor on the layout of the sewer.

Jonathan stated that the purpose of this hearing was to recommend a zoning classification to the City. He said that the City had requested an R2 zoning and that on their second reading of the Ordinance the zoning would be set and the developer would be required to submit a new plan for the subdivision.

John Lawrence read Jonathan Britt's recommendation, which stated the recommendation, was for approval of the zone change request because the proposal is in compliance with the adopted Comprehensive Plan. Staff also recommends that the City of Crittenden sign a formal development contract with the developer in order to remove the possibility of the placement of duplexes on the property. Finding in support of this recommendation area as follows: 1. the subject property is surrounded by the development and the logical extension of the development would be for smaller lots served by sanitary sewer. The subject property is currently part of an approved development plan. 2. the subject property will make better use of the entire property by using less acreage per lot and allowing for the development of sanitary sewer in the area.

Marvin Faulkner asked if the City and the developer had been informed of the request that a development contract be signed.

Jonathan stated that both were acceptable to the process.

Stephen Mann asked if there was only going to be one entrance off of Ruark Road into the development

Logan stated that there would be only one main entrance.

Nick Kinman made a motion to approve the annexation and recommend R2 zoning for the property, Kevin Hudson seconded the motion.

Nancy Duley questioned requiring the signed contract.

Nick Kinman withdrew his motion and Kevin Hudson withdrew his second.

Nancy Duley made a motion to approve the requested annexation and recommend R2 zoning with the condition that a development contract be signed between Crittenden and the developer in order to remove the possibility of the placement of duplexes on the property based on the findings that the property is surrounded by development and it will make better use of the land, Kevin Hudson seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 5: ZONE CHANGE - DAWALT A-1/R-2 TO R-3

Application withdrawn by applicant

ITEM 6: ZONE CHANGE - LONKARD A1 TO RR

APPLICANT: Elmer & Willena Lonkard

GENERAL LOCATION: An approximate 3.4 acre area located on the north side of Heekin Rd., approximately 0.83 miles west of U.S. 25

REQUEST: to change the zoning of the property from A1 - Agricultural One to RR - Rural Residential

John Lawrence declared the public hearing open and asked if all fees were paid and notices given. Staff replied that fees were paid and notices given.

Mr. Lonkard stated that the request was so that his parent could give his sister a tract of land.

John Lawrence asked if anyone wished to speak for or against the request.

Logan Murphy stated that he was for the request

John Lawrence declared the public hearing closed.

John Lawrence read Jonathan Britt's recommendation, which stated the recommendation, was for approval of the zone change request because it is consistent with the Comprehensive Plan with the following Findings of Fact: 1. the subject property is located in a limited agricultural area and would not serve as a "conflict" between surrounding land uses; 2. the subject request for rezoning would allow for "limited residential development in the....." aforementioned.... "agricultural areas".

Marvin Faulkner made a motion to approve the request because it is not in conflict with the Comprehensive Plan, Bill Marksberry seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 7: ZONE CHANGE - DAVIS A1 TO A2

APPLICANT: Vincent & Erin E. Davis

GENERAL LOCATION: An approximate 5.0 acre area located on the north side of Napoleon Zion Station Rd., approximately 1.1 miles northwest of Sugar Creek Rd.

REQUEST: to change the zoning of the property from A1 - Agricultural One to A2 - Agricultural Two

John Lawrence declared the public hearing open and asked if all fees were paid and notices given. Staff replied that fees were paid and notices given.

Mr. Davis stated that the request was in order to give his daughter a lot to built a stick built home on.

John Lawrence asked if anyone wished to speak for or against the request.

Kenny Messer stated that he was for the request

John Lawrence declared the public hearing closed.

John Lawrence read Jonathan Britt's recommendation, which stated the recommendation, was for approval of the zone change request because it is consistent with the Comprehensive Plan with the following Findings of Fact: 1. the subject property is located in a limited agricultural area and would not serve as a "conflict" between surrounding land uses; 2. the subject request for rezoning would allow for "limited residential development in the....." aforementioned.... "agricultural areas".

Stephen Mann made a motion to approve the request because it is not in conflict with the Comprehensive Plan, Bill Marksberry seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 8: ZONE CHANGE - JACKSON A1 TO A2

APPLICANT: Carl R. Jackson, Jr.

GENERAL LOCATION: An approximate 40 acre area located on the east side of I-75, and on the south side of Bannister Pike

REQUEST: to change the zoning of the property from A1 - Agricultural One to A2 - Agricultural Two

John Lawrence declared the public hearing open and asked if all fees were paid and notices given. Staff replied that fees were paid and notices given.

Mr. Jackson stated that the request was to divide 5 acres from the existing 40 acres for re-financing purposes.

John Lawrence asked if anyone wished to speak for or against the request.

Ray Porter asked is he was asking to rezone the entire 40 acres or just 5 acres.

Jonathan stated that the request was for only 5 acres.

John Lawrence declared the public hearing closed.

John Lawrence read Jonathan Britt's recommendation, which stated the recommendation, was for approval of the zone change request because it is consistent with the Comprehensive Plan provided that the applicant removes the "shed" that would cause a non-conforming structure to be on the "new" lot. This "shed" should be removed within thirty (30) days from the date of this public hearing. The following Findings of Fact: 1. the subject property is located in a limited agricultural area and would not serve as a "conflict" between surrounding land uses; 2. the subject request for rezoning would allow for "limited residential development in the....." aforementioned.... "agricultural areas".

Stephen Mann asked Mr. Jackson if he agrees with the condition.

Mr. Jackson stated that he knew that the building had to be moved but he did not know if he could do it within 30 days because he was going to try to save the building.

Mr. Nienaber stated that the 30 days would not start until the Fiscal Court had their final reading so it would be more like 60 days.

Mr. Jackson said that he could have the building moved within the 60 days.

Stephen Mann made a motion to approve the request because it is not in conflict with the Comprehensive Plan with the condition that the building be removed within 30 days of approval of the zone change, Marvin Faulkner seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 9: ZONE CHANGE - ISERAL A1 TO A2

Tabled until next meeting

ITEM 10: HOMETOWN PIZZA - SITE PLAN

Logan Murphy stated that the developers were purchasing the property from Charles And Betty Lawrence who recently had the property changed to commercial. He said that the detention was for both lots.

John Lawrence read a letter from Erpenbeck Engineers recommending approval.

Jonathan stated that the problem was that even though the Comprehensive Plan stated that the area should be Commercial, the Commercial zone has 50 uses some of which do not belong. He said that he questioned if Short Race could handle the traffic. He stated that he recommended that the commission deny the request and that all the parties meet and design something that is more beneficial to the area.

Logan stated that in 99 the Road was expanded to 18-20ft. and that this plan meets all the requirements of the regulations.

Jonathan stated that he believed that there needs to be a safer access and it should be looked at before the plan is approved.

Vernon asked if the City was going to improve Short Race St.

Logan stated that they did so in 1999.

Vernon Webster stated that it was difficult to make turns due to the telephone pole and if the City is finished then they quit too soon.

Nancy Duley stated that she was concerned with turning into Short Race Street.

Tom Neinaber stated that if the plan meets the requirements the Commission has no choice but to approve the plat.

Stephen Mann made a motion to approve the plan, Vernon Webster seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 11: BARNES ROAD DEVELOPMENT - GRADING PLAN

Mr. Heidrick stated that he was a partner with 2 other people to develop this property. He said that they had developed other properties in Kenton County. He said they were asking for approval on a grading permit and that they were under a deadline with the Library in order to be able to cross their property while grading theirs. He stated that at this time they have no buyers or plans on how the property will develop.

John Lawrence read a letter from Erpenbeck Engineers recommending approval.

Marvin Faulkner made a motion to approve the plan, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

Item 12. Conveyance Plats

Jonathan presented a list of the conveyance plats approved during October. See attached sheet for list

Stephen Mann made a motion to approve the list as presented, William Covington seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

Item 13. Executive Session

none

Item 14: Other Business

Nick Kinman questioned the fence between a subdivision and agricultural land. Jonathan stated that issue would be addressed by the developer at the time of the zone change

Item 15. Adjournment

Stephen Mann made a motion to adjourn, Marvin Faulkner seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

JOHN LAWRENCE, CHAIRMAN - DATE

NICK KINMAN, SECRETARY - DATE